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## Speaker Sparks Protest at FCC

By Larry Kramer  
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The Gospel according to Sid Roth didn't go over too well at the Federal Communications Commission last week.

Roth, who is an evangelist heading up an organization that preaches that Jews can still believe in Christ, was the guest speaker before a regular meeting of the FCC Devotional Group during Friday's lunch hour.

Although the meeting was billed as a "Good Friday observance," several angry FCC employees have claimed that it was, in fact, a proselytizing effort by Roth, who handed out literature and envelopes soliciting offerings.

The controversy has raised again the question of separation of church and state. It has forced the FCC to cancel future meetings of the devotional group until it receives a ruling on what kind of meetings can be held on government property.

Meanwhile, the General Counsel of the Federal Service Administration, which has jurisdiction over federal office space, said any meeting

of a sectarian group in federal offices is clearly forbidden by the law.

According to Jack Mulligan of the GSA, a section of the Federal Property Management Regulations forbids the kind of meeting Roth apparently ran.

Subpart 101.20.701 of those regulations includes the following passage: "Meeting places may not be used for meetings or activities having partisan political, sectarian, or similar nature or purpose."

After the Roth meeting was described to him, Mulligan said "it appears that it is a violation of the rule," but added that it was up to the FCC to police the space occupied by it.

Mulligan went further, saying that "prayer meetings in general would appear to be banned under that regulation." "I saw the notice of one at the State Department last Friday, but it was too late to stop it," he said.

A similar Bible study group met at the Justice Department also on Friday, but because no group had

signed for the room, officials at the Justice Department were unaware of the sponsor.

The problem at the FCC began about two weeks ago, when notices of Roth's impending visit were posted. On March 17 Alvin Reinher, FCC staffer, wrote a memo to the executive director of the agency, Dan Lichtwardt, protesting the scheduled appearance.

In that memo, obtained by The Washington Post, Reinher said that he did not generally object to the use of government facilities by various groups for the purpose of conducting religious services or prayers, but that he did object to the planned Roth talk, a highly valued attempt to proselytize under the guise of a Good Friday observance.

There is an issue of an even more serious nature, the Reinher memo explained, "the question of the legality of using government facilities and property for the purpose of religious proselytizing and to obtain free advertising for books and radio programs."

When contacted by the Post,

Reinher confirmed that he had sent the memo, but would say little more. He noted that he had attended the eventual meeting and said, "it was a disappointing experience for me. He is Jewish."

Despite Reinher's appeal, and a subsequent meeting between some FCC staffers and members of the General Counsel's office there, the meeting was allowed to go on. One objection was made, however, when the scheduled meeting place was transferred from the main commission meeting room to a training room in the FCC annex.

Yesterday FCC attorney Steve Faden, who had heard a tape recording of the meeting, wrote a letter to Chairman Charles D. Ferris complaining about the gathering. "I strongly believe that the use of government facilities by a religious speaker to proselytize and impugn the beliefs of another faith clearly runs counter to Constitutional safeguards whereby a wall of separation was erected by the founding fathers to stand between church and state,"

said the letter, a copy of which was also obtained by the Post.

Faden says the issue was further aggravated "because notice was given to appropriate commission officers of the expected nature of Mr. Roth's talk, yet nothing was apparently done to protect the rights of those to whom Roth's biases were aimed."

Faden described Roth as a leader of an evangelist group which actively seeks to convert members of the Jewish faith to Christianity. FCC Executive Director Lichtwardt was away for a week and unavailable for comment. His assistant, Alan McKie, called the incident "regrettable" and said "it will not happen again."

"We were unaware of the controversial nature of this particular speaker and have taken steps to prevent a recurrence," he said.

He admitted that his office had heard about the speaker prior to the actual talk, but felt it was too late to be called off, since it had already been scheduled.

FCC General Counsel Robert Bruce

said, "We're obviously concerned about the reaction of some of our employees to a very emotional issue."

He said that the FCC has allowed employees to use the meeting room for non-sectarian meetings. But as a result of Friday's meeting, he made inquiries of the Department of Justice seeking advice on what guidelines have applied at other agencies.

"This was not proselytizing in any way," said Sid Roth in a telephone interview from the offices of his group, The Messianic Vision, in Washington.

He admitted leaving literature and mailing envelopes on each chair at the so-called meeting, but said that any standard method anywhere would leave out the letter with "I gave a message."

"I didn't matter if you were Jewish (Jew), I was talking about a personal relationship with God, with everyone to serve God," Roth said he did receive two "collected contributions" at the meeting.

Appeals Court  
MOTION PLEA  
IN PAYMENTS



101-96  
DO NOT WRITE

# Religious Services In Pentagon Ruled Unconstitutional

27 July 1978

By Sandra G. Boodman

Washington Post Staff Writer

A federal magistrate has ruled that a series of religious services held in the Pentagon's public concourse area, violates the First Amendment's provision of the separation of church and state.

A Pentagon spokesman said yesterday that the decision by Judge Quin Elson would be studied to determine its effects on the Pentagon Pulpit Program, begun in 1942 by President Franklin D. Roosevelt.

Elson's six-page decision came in the case of an antiwar activist, John T. Shiel, 59, of 1329 N St. NW, who was arrested Nov. 23, 1977, and sentenced to spend 30 days in jail for disruption a Thanksgiving Day religious service at the Pentagon.

In his decision released this week, Elson dismissed the case against Shiel and wrote that the programs could be conducted in a room or auditorium, "as opposed to an area near commercial shops and the Metro subway." Holding the services in a public area, Elson wrote, was a violation of the constitutionally guaranteed provision separating church and state.

According to Sebastian Graber, Shiel's attorney, the Pentagon's July 4 service was held in a 300-seat auditorium, which is not located in a public area of the Defense Department building. Graber said he was pleased by Elson's decision, which "removes the stamp of religious approval on American defense activities." Assistant U.S. Attorney John J. Klein said yesterday he has not decided whether to appeal Judge Elson's decision.

In the past, guest speakers at the Pulpit Program, which a Pentagon chaplain testified was designed to appeal to "a religious majority view," have included the Rev. Billy Graham, Bishop Fulton J. Sheen and Norman Vincent Peale.

Shiel, a member of the Community for Creative Non-Violence which has staged numerous Washington protests over the proliferation of nuclear weapons, said that during the religious service he walked to the front of the audience, stood with his back to a minister who was preaching and began to address the crowd.

When Shiel refused to sit down, he was arrested and taken to Magistrate's Court in Alexandria where he pleaded not guilty. He was found guilty and sentenced to spend 30 days in jail or pay a \$50 fine. Shiel served eight days of his sentence and appealed his conviction.

Last January, District Court Judge Albert V. Bryan Jr. reversed Shiel's conviction and remanded the case to Judge Elson, directing him to hold hearings to determine whether Shiel's case involved First Amendment questions.